Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM AND METHOD FOR MEASURING THE QUALITY OF INFORMATION RETRIEVAL**.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

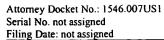
No such claim for priority is being made at this time.

Attorney Docket No.: 1546.007US1 Serial No. not assigned Filing Date: not assigned

	I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application	and to transact
all bu	siness in the Patent and Trademark Office connected herewith:	

an ousniess in the	atom and fradem	ark Office conficeted her	CWILLI.			
Anglin, J. Michael	Reg. No. 24,916	Haack, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	
Arora, Suneel	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Nicholson, Lea A.	Reg. No. P-48,346	
Beekman, Marvin L.	Reg. No. 38,377	Hill, Stanley K.	Reg. No. 37,548	Nielsen, Walter W.	Reg. No. 25,539	
Bianchi, Timothy E.	Reg. No. 39,610	Jackson Huebsch, Katharine A.	. Reg. No. 47,670	Padys, Danny J.	Reg. No. 35,635	
Billion, Richard E.	Reg. No. 32,836	Jurkovich, Patti J.	Reg. No. 44,813	Parker, J. Kevin	Reg. No. 33,024	
Black, David W.	Reg. No. 42,331	Kalis, Janal M.	Reg. No. 37,650	Perdok, Monique M.	Reg. No. 42,989	
Brennan, Leoniede M.	Reg. No. 35,832	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peret, Andrew R.	Reg. No. 41,246	
Brennan, Thomas F.	Reg. No. 35,075	Kluth, Daniel J.	Reg. No. 32,146	Peterson, David C.	Reg. No. 47,857	
Brooks, Edward J., III	Reg. No. 40,925	Lacy, Rodney L.	Reg. No. 41,136	Prout, William F.	Reg. No. 33,995	
Chadwick, Robin A.	Reg. No. 36,477	Lemaire, Charles A.	Reg. No. 36,198	Schumm, Sherry W.	Reg. No. 39,422	
Clark, Barbara J.	Reg. No. 38,107	LeMoine, Dana B.	Reg. No. 40,062	Schwegman, Micheal L.	Reg. No. 25,816	
Clise, Timothy B.	Reg. No. 40,957	Lundberg, Steven W.	Reg. No. 30,568	Scott, John C.	Reg. No. 38,613	
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Smith, Michael G.	Reg. No. 45,368	
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. 45,458	
Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Steffey, Charles E.	Reg. No. 25,179	
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Stordal, Leif T.	Reg. No. 46,251	
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Terry, Kathleen R.	Reg. No. 31,884	
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Viet V.	Reg. No. 45,416	
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Viksnins, Ann S.	Reg. No. 37,748	
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440	
Greaves John N.	Reg. No. 40,362	•	÷ ,	- -	÷ ,-	
t ai						
13				•		
■ I hereby authors	orize them to act and r	ely on instructions from and o	communicate direct	ly with the person/assigned	e/attornev/	
		this case to them and by who				
					cu arter run	
disciesure to be repres	ented uniess/until 1 ins	struct Schwegman, Lundberg,	woessner & Kluth	, P.A. to the contrary.		
Pleased irect all corres	nondence in this case	to Schwegman, Lundberg, V	Voessner & Kluth	P Δ at the address indica	ted helow:	
i.l	pondence in ans case			1.A. at the address make	ted below.	
Ų		P.O. Box 2938, Minnea				
√ Ū		Telephone No. (61	2)373-6900			
1 I hereby decla	ere that all statements	made herein of my own know	ledge are true and t	that all statements made on	information and	
		t these statements were made				
		t, or both, under Section 1001		United States Code and tha	it such willful false	
statements may jeopar	dize the validity of the	application or any patent issu	ued thereon.	•		
14 						
Full Name of joint inve	entor number 1 · F	David B. Kay				
		ates of America	Residence: Los G	ntos CA		
Citizenship:			Residence: Los G	atos, CA		
Post Office Address:	18275 Kn					
	Los Gatos	, CA 95033				
Signature:			Date:			
orginature.	David D. Vari		Date.			
	David B. Kay					
Full Name of joint inc	entor number 2 · F	Anic I vnch				
Full Name of joint inventor number 2: Denis Lynch						
Citizenship:		ates of America	Residence: San Jo	ose, CA		
Post Office Address:	5473 Blos	som Road				
	San Jose,	CA 95124				
Cianotura			Data			
Signature:			Date:			
	Denis Lynch					

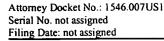
X Additional inventors are being named on separately numbered sheets, attached hereto.





I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Citizenship: Post Office Address:	or number 3: Mark Angel United States of America 1121 Cuttings Wharf Road Napa, CA 94559-9733	Residence: Napa, CA	
Signature:		Date:	
	Mark Angel		
Full Name of joint inventor Citizenship: Post Office Address:	or number 4: Shafi Mohammed United States of America 185 Jenkins Lane Mountain View, CA 94043	Residence: Mountain View, CA	
Signature:		Date:	
	Shafi Mohammed		
Full Name of joint inventor Citizenship: Post Office Address:	or number 5: Catherine Worminton United States of America 2061 St. Francis Sasn Carlos, CA 94070	Residence: Sasn Carlos, CA	
LU Signalure:		Date:	
Signature:	Catherine Worminton	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	



į÷

ļż (Q

IJ ١Ū

O





§ 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent (a) examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- 0 Under this section, information is material to patentability when it is not cumulative to information already of record or being (b)_ made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.